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GENERAL ASSEMBLY
Fifty-third session
Agenda item 106
PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN

SECURITY COUNCIL
Fifty-fourth year

Letter dated 3 May 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a copy of a letter from Mrs. Margit Savovic, President of the Yugoslav Commission for Cooperation with UNICEF and the Promotion of the Status of Women, concerning the consequences of the NATO aggression against the Federal Republic of Yugoslavia for children, addressed to Ms. Carol Bellamy, Executive Director of UNICEF (see annex).

I should be grateful if you would have the present letter and its annex published as a document of the General Assembly, under agenda item 106, and of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

Annex

Letter dated 27 April 1999 from the President of the Yugoslav Commission for Cooperation with UNICEF and the Promotion of the Status of Women addressed to the Executive Director of the United Nations Children's Fund

At this time when the North Atlantic Alliance is intensifying aggression against the Federal Republic of Yugoslavia, with devastating consequences of the destruction already very much in evidence, we demand that an urgent action be taken to protect the three million children in Yugoslavia, their right to life, survival and development.

The aggression against the Federal Republic of Yugoslavia, a co-founder of the United Nations and a signatory to the United Nations Convention on the Rights of the Child, is flagrantly violating the entire Convention on the Rights of the Child and preventing its implementation.

All results achieved so far in regard to the Yugoslav Plan of Action for Children until the year 2000 have been annulled and the Plan's further implementation thwarted.

Everything that has been invested in the preparation of the Plan of Action for Women until the year 2000 has been undermined and the aggression has trampled the Rome Declaration, which virtually all mayors of Serbia and Montenegro had signed.

In NATO assaults, more than 1,000 civilians have been killed and over 4,500 injured and maimed. In the latest attack on Surdulica alone, the toll was more than 20 civilians, of whom 12 were children aged between 5 and 12. Six children were killed in Djakovica, while another 4 are in hospital. In the village of Doganovci, near Urosevac, 4 boys were killed and 2 severely maimed by a cluster bomb. In the village of Mirovac, near Podujevo, a year-old infant, Bojana Tosovic, was killed while her pregnant mother survived and is in hospital. In the bombing of the main Post Office in Pristina, three girls aged six, seven and nine were killed. In Vranje, bomb shrapnel killed 16-year old Milica Stojanovic. In the targeted passenger train bound for Thessalonike, a six-year old boy and a 16-year old girl died. Unfortunately the exact number of victims is still unknown since two wagons were incinerated. Three-year old Milica Rakic was killed by a cluster bomb shrapnel at her home in Batajnica. The number of casualties is rising by the hour.

All children, everywhere in Yugoslavia, are daily exposed to trauma and stress, with consequences already very much in evidence. On the basis of polls done so far in first-aid psychosocial counselling services for children, the chief cause of stress is the disrupted security within the family, uncertainty, fear from bombing and the separation from parents. Incomplete reports show that over 10 per cent of children have symptoms of serious psychological disorders, which require specialized therapy.

The possibility of access to health services has been reduced by 50 per cent owing to the expected start of air raid alerts and their duration. A demolished infrastructure and a constant threat to the lives of civilians and health workers are virtually an insurmountable barrier to field work and immunization. So far, 18 district health institutions and 15 municipal ones have been destroyed. Women deliver their children in the basements of hospitals and their newborns are taken to underground shelters every night.

Children suffering from malignant diseases, diabetes, children on artificial kidneys and children with chronic conditions are hardest hit. Operations are put off because of air raids. The importation of medications has become impossible, while the home pharmaceutical industry has been effectively stopped by the destruction of chemical industry, which had been the source of raw materials. The water supply is badly affected in the majority of towns.

An immediate consequence of the ecological disaster caused by fire, explosions and the destruction of installations using chlorine, ammonia and vinyl chloride, is the displacement of the population of Lucani, Baric and several other towns.

Food production has been affected by the destruction of a tractor factory, an artificial fertilizer plant and diesel fuel reserves. Salt iodination installations covering the needs of all of southern Serbia and Kosmet has been directly hit. The use of missiles with depleted uranium will leave long-term effects on the health of population, especially future mothers and children.

The destruction of industrial installations and infrastructure has led to the loss of jobs for more that 160,000 workers and left over 500,000 of their dependents without any means of livelihood. Contributions to child and social welfare funds have dropped by 85 per cent, particularly affecting children without parental care in orphanages and in foster care, and children with developmental disorders. The number of families whose income is below the poverty threshold has doubled from 30.4 per cent. According to the data from a survey on the consequence of war in the territory of former Yugoslavia, a rise in the social pathology of the young people is anticipated: juvenile delinquency, aggressiveness, abuse of alcohol and drugs, suicides and serious mental disorders.

Because of constant air raid alarms, schools closed three months before the regular end of the school year. Thus, the right to primary education of some 1,400,000 children has been violated. So far, 300 primary and secondary schools have been either demolished or damaged, leaving some 180,000 children, or 20 per cent of the total school-going population, without a place in school and without normal conditions for education once the war activities are halted. The continuation of education will be further impeded by the fact that about 1 million people, the biggest percentage of whom are children, have been displaced.

Some 70 per cent of kindergartens in Serbia, outside Kosovo and Metohija (the data for Kosovo and Metohija is still unavailable) are no longer fit to take in children. For safety reasons, less than 1 per cent of the enrolled

children are brought to kindergartens. All pre-school preparatory programmes for children have been disrupted.

The right of children to play, recreational activities, rest and leisure is gravely affected. So far 15 children's recreational centres and cultural institutions have been demolished. Children's magazines and newspapers are not published. The right to play is threatened by the very fact that children are forced to spend most of their time in air raid shelters.

More than 250,000 refugee children from Bosnia and Herzegovina and Croatia and their parents are again experiencing war traumas. Humanitarian agencies have either reduced assistance or completely stopped their activities. Refugee centres in Djakovica, Paracin, Gucevo, Pancevo, Pristina, Kursumlija and Rakovica have been either directly targeted or severely damaged. More than 1 million people have been temporarily internally displaced owing to incessant bombings.

I am confident that, taking the principles and goals of the agency which you head as your starting point, you will condemn the NATO aggression against my country, whose most frequent direct or indirect victims are the children themselves.

(Signed) Dr. Margit SAVOVIC
President
Yugoslav Commission for Cooperation
with UNICEF and the Promotion of the
Status of Women

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GENERAL ASSEMBLY
Fifty-fourth session
Item 43 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fourth year

Letter dated 3 May 1999 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letter addressed to you by the Chargé d'affaires a.i. of the Palestinian Observer Mission, dated 23 April 1999, concerning Palestinian Authority (PA) activity in the Orient House in Jerusalem (A/53/923-S/1999/474).

The Israel-Palestine Liberation Organization (PLO) agreements provide that Jerusalem is an issue for final status negotiations. Under those agreements, PA has no powers and responsibilities in relation to Jerusalem. The Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II) also specifically provides that "the offices of the Council, and the offices of its Ra'ees and its Executive Authority and other committees, shall be located in areas under Palestinian territorial jurisdiction in the West Bank and the Gaza Strip" (Interim Agreement, article I: 7). The Interim Agreement, moreover, kept Jerusalem outside any Palestinian territorial jurisdiction. PLO Chairman Yasser Arafat signed the Interim Agreement himself on 28 September 1995 in Washington, D.C.

Furthermore, on 15 January 1997, Arafat personally reconfirmed his commitment to comply with this obligation to refrain from opening offices of the Palestinian Authority, or even permitting PA governmental activity, in Jerusalem. The reconfirmation was, in fact, put in writing in the Note for the Record attached to the Hebron Protocol, which provided that "exercise of Palestinian governmental activity, and location of Palestinian offices, will be as specified in the Interim Agreement".

* A/54/50.

It is for this reason that PA governmental activity at the Orient House, or at any other location outside the areas under Palestinian territorial jurisdiction, constitutes a clear and serious violation of the Israel-PLO agreements. Such activities can in no way be considered the continued provision of social, economic, educational, religious, and cultural services to the Palestinian Arabs of Jerusalem, referred to in the letter of former Israeli Foreign Minister Peres to Norwegian Foreign Minister Holst, and to which Israel has no objection. To the contrary, they are politically motivated, and designed to do exactly that with which the Palestinian spokesmen charge Israel: attempting to change the legal status and character of the city with no legal validity whatsoever, and thereby attempting to prejudge the outcome of the permanent status negotiations.

Israel has no desire to hamper the activities of local organizations that are intended to better the everyday lives of the Palestinian Arabs in Jerusalem; but Israel cannot tolerate repeated violations of undertakings contained in the Israel-PLO agreements and reconfirmed by Mr. Arafat himself. The current peace process can succeed only if the obligations undertaken by the parties are adhered to. Israel, for its part, will continue not only to comply with its own undertakings but also to take whatever measures are necessary to assure compliance by the Palestinian side.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 43 of the preliminary list, and of the Security Council.

(Signed) Dore GOLD
Ambassador
Permanent Representative

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LETTER DATED 3 MAY 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SIERRA LEONE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to forward herewith an address to the nation made by President Ahmad Tejan Kabbah on the occasion of the thirty-eighth anniversary of the independence of Sierra Leone.

It would be appreciated if you could have the present letter and its annex circulated as a document of the Security Council.

(Signed) Fode M. DABOR
Ambassador
Chargé d'affaires a.i.

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Annex

Address made on 27 April 1999 by President Ahmad Tejan Kabbah to the nation on the occasion of the thirty-eighth anniversary of the independence of Sierra Leone

Fellow citizens,

Some 38 years ago, this country was divided. There were different and even conflicting views on the issue of independence. The division threatened a smooth transition to nationhood. However, in a spirit of compromise, and for the larger interest of the country, those wise and patriotic Sierra Leoneans who were aspiring for political leadership took a bold and historic step. Their duly registered political parties formed a United Front and went to London's Marlborough House for the final constitutional talks with the colonial Government. As a result of that bold step, we gained our freedom as an independent sovereign State, peacefully, on 27 April 1961. Without their display of that wisdom and patriotism, things would have been otherwise for this country.

Today, 27 April 1999, as we commemorate that historic occasion, our country is again divided. But the division this time is much more serious. On the one hand, there are those, the overwhelming majority of our people, who, in spite of the difficult economic and social problems facing the country, prefer to work hard within the democratic system, with an elected Government, and to help bring about a better life for themselves and their families. On the other hand, there are others, a minority, who, in collusion with external forces, have chosen the path of war and wanton destruction of life and property as a means of articulating their own personal grievances.

The observance of this, the thirty-eighth anniversary of our independence, should take the form of a special thanksgiving. We should be thankful today that Sierra Leone as a nation still exists, because there are those who were, and perhaps are still determined to destroy the entire country, unless their demands are met. We should be thankful that the objective of the Revolutionary United Front rebels, "Operation no living thing" has failed. Of course, significant parts of the body of this nation have been burned, terrorized, raped and mutilated. Of course, the RUF rebels and their allies had derailed significant parts of our development plans and projects. But the spirit, the hopes and aspirations of this nation are intact. For this we are thankful.

We, as a Government, are greatly concerned for the basic rights of our citizens, which we regard as inviolate. We have taken into consideration the impact of their vicious campaign and the atrocities perpetrated on innocent people. Consistent with our determination to strengthen existing mechanisms for the protection of the basic rights of every individual in this country, we have now decided, as soon as conditions permit, to set up a separate and independent Human Rights Commission. Operating a quasi-judicial body, the Commission will be empowered to hear complaints and investigate allegations of human rights violations. It will also devise further recourse procedures and relief for victims of such violations. Since the most vulnerable victims of human rights

abuses have been women and children, the new Human Rights Commission will have two specialized committees with the responsibility for developing, on the basis of the constitution, standards for the protection of their rights against violations by individuals or groups.

During the past three decades, we have witnessed four major military coups, two counter-coups, at least five attempted coups, and four "palace coups" in which the leader of a military junta is unceremoniously removed and replaced by another officer. Then, during the same period, we have experienced eight long years of a bloody rebellion.

Fellow citizens,

The consequences of those events have taught us a number of lessons. The first is that coups, counter-coups, palace coups, and a brutal war against the people and every Government of this country over the last eight years have not solved any of our economic, social or political problems. In fact, they have increased the number and complexity of those problems. They have taken a heavy toll on all aspects of life in this country. They have resulted in wanton killing of our kith and kin. They have caused more hunger, more homelessness, a higher incidence of communicable diseases, and a massive exodus of thousands of our people. Coups, counter-coups, and a seemingly endless rebel war have stolen and squandered food from our children; deprived them of education and health services. They have also given them guns and other weapons of destruction. Coups, counter-coups and rebel conflict have indeed made us poorer. They continue to deprive us of much-needed assistance from our international development partners.

The RUF rebels and their allies should now realize that the days of forceful overthrow of democratically elected Governments are over. Therefore, they should have the courage to admit that, after eight years of sheer terror, they have failed to win the most important prerequisite for governance, namely, the will of the people. So, we say to them: E dooh so now. Pas mark ting not good.

Another lesson which events of the past 38 years have taught us is that, for developing countries like Sierra Leone, the prospects for achieving economic self-sufficiency and social equality are much greater when we are at peace than when we are engaged in political turmoil. We have learned that repeated and wanton destruction of our human and material resources are inconsistent with, and an anathema to, national development.

A third lesson we have learned from the unfortunate events since independence is that there is an alternative to coups, rebel wars and violence as means of bringing about viable change. That alternative is peace. We, for our part, have convincingly demonstrated to the rebels, and to the world, that the only way we can transform this country from its current economic, social and political situation, is through peaceful means. Our message to the RUF rebels, on this, the anniversary of our independence, which incidentally we achieved by peaceful means 38 years ago today, is that if indeed they are genuinely interested in peace, if indeed they want to rule, or if they want political power in any proportion, they must first secure the will of the people of Sierra

Leone. Let them abandon the idea of seizing it by force of arms. Instead of holding the rest of the country hostage and demanding power, they should try to earn it, peacefully, through the ballot box. As the leaders of the RUF are aware, even some of their staunch supporters have come to realize that, when all is said and done, the ballot box is still the only way of gaining legitimacy for democratic governance.

Today, on the anniversary of our independence, we challenge the RUF rebels to renounce violence and terror. We challenge them to meet us at the polling booths in less than 16 months' time. They can now start preparing for the electoral process. One of the great pillars of our justice system, the Court of Appeal, has already given the RUF rebels a head start by allowing their leader, Foday Sankoh, to travel to Togo, under United Nations auspices, to meet his comrades-in-arms for consultations. We have given them an opportunity to discuss, not just the necessity of laying down their arms but, equally, to start learning how to use democratic institutions and processes to articulate their grievances. Indeed, to begin the task of transforming themselves from rebels or revolutionaries to patriotic functionaries for peace and stability in Sierra Leone.

To all my fellow citizens, loyal as well as rebels, I say this:

We have lost 38 years. Let us all rededicate ourselves to making good those lost years. Some of us have lost everything we worked for, including our lives, others have lost their limbs and other priceless possessions. To you all I say, don't despair! Let us continue to have faith in God and hope that He will address all our concerns in due course.

Fellow citizens,

It is unfortunate that some of our friends who are great defenders of democracy, some of those who pledge allegiance to uphold their constitution as the supreme law of their respective nations, now expect us to violate the provisions of our own democratic constitution and make arbitrary changes of accommodation without the consent of our people. This will clearly be a prescription for future chaos and instability in our country, a situation which the people of Sierra Leone will not tolerate. Sierra Leone may be one of the least developed countries in the world, but we are a democracy, and we are proud of it. Let me add that, even if we find it necessary to make substantive changes to any section of our constitution, we will, as in other democracies, do so only with the consent of our people, and in accordance with the relevant provisions for amending that supreme document of State. After all, we allowed Foday Sankoh to meet his rebel colleagues. Why not at least extend the same courtesy to patriotic Sierra Leoneans?

It is significant that the start of internal consultations in Togo, among the leaders of the RUF, coincides with the observance of the thirty-eighth anniversary of our peaceful transition to nationhood. This we sincerely believe is a great opportunity for us all, including members of the RUF, to open a new chapter in our history. Now is the time, brothers and sisters, for us to solemnly launch a peaceful transition in our country, from acts of self-

destruction to the urgent duties of national reconstruction. Now is the time not just for reconciliation but, more importantly, for reformation.

While we are fully aware of the role of external forces in the destabilization of our beloved country, we should also realize that the solution to our problems lies in our own hands. We have the capacity. We have the resources. Now, we have to muster the will to put this country back on the right track by peaceful means.

Let us, on this, the anniversary of our independence, paraphrase the second verse of the Sierra Leone national anthem, and pray that no more harm on our children may fall, and:

"... That blessing and peace may descend on us all.
So, may we serve Thee ever alone,
Land that we love, our Sierra Leone."

Finally, I should like to take this opportunity to thank most sincerely all the fighting forces, from Nigeria, Guinea, Ghana and Mali, who are here to help us resolve problems which we have created for ourselves. We are most grateful to them. We should all open our doors to them on this anniversary for them to feel at home. Another way we could say thanks to them is for us to make sure and make a determined effort to see to it that we resolve our problems, and thereby achieve sustainable peace for our country.

I wish you all a blessed independence anniversary. Long live Sierra Leone.

I thank you all.

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LETTER DATED 4 MAY 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a conceptual framework for the expert studies to be undertaken to trace violations in arms trafficking, oil supplies and the diamond trade, as well as the movement of UNITA funds. The commissioning of these expert studies was one of the proposals contained in the Committee's report of 12 February 1999 to the Security Council (S/1999/147) for improving implementation of the measures imposed on UNITA. The framework for the expert studies was approved by members of the Committee.

(Signed) Robert R. FOWLER
Chairman
Security Council Committee established
pursuant to resolution 864 (1993)
concerning the situation in Angola

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Annex

Proposed expert studies: conceptual framework

1. In its report of 12 February 1999 (S/1999/147) the Security Council Committee established pursuant to resolution 864 (1993) concerning Angola proposed that expert studies be commissioned, pursuant to the Secretary-General's recommendation, to trace violations in arms trafficking, oil supplies and the diamond trade, as well as the movement of União Nacional para a Independência Total de Angola (UNITA) funds. The recommendations contained in the report were endorsed by the Security Council in its resolution 1229 (1999) of 26 February 1999.

2. The Chairman of the Committee recommends that the proposed expert studies be conducted in two parts, concurrently or sequentially:

(a) One expert panel, on the sources of revenue, funding and petroleum supplies of UNITA, would focus on the resources that enable UNITA to operate and would encompass violations of sanctions on the direct or indirect export of diamonds by UNITA,[1] the sale or supply of petroleum and petroleum products to UNITA[2] and the provision or movement of funds and financial resources to UNITA.[3]

(b) The other expert panel, on the sources of military support to UNITA, would study violations of Council-imposed sanctions on the sale or supply to UNITA of arms and related matériél and military assistance, including mercenaries.[2]

The expert panels would have a mandate to collect information on the sources and methods of violations of the relevant Council sanctions against UNITA and to recommend measures to end those violations and to improve the implementation of the sanctions. The precise mandate would be set out in an enabling resolution of the Security Council.

3. The panels would operate concurrently, if the resources at the Committee's disposal permitted. If sufficient resources were not available, the expert panel on the sources of revenue, funding and petroleum supplies of UNITA could be established in the first instance, the establishment of the second panel being deferred until additional resources had been secured. This would ensure that the studies could be initiated at the earliest possible opportunity.

4. Each panel would have a mandate of six months' duration. The mandates would be renewable, upon the recommendation of the Committee and the decision of the Council.

5. The expert panel on the sources of revenue, funding and petroleum supplies of UNITA would include up to six members. That on the sources of military support to UNITA would include up to four members. Members would be selected on the basis of expertise, due regard also being given to balance of representation.

6. The Chairman of the Committee established pursuant to Security Council resolution 864 (1993) would provide oversight of the expert studies. The panels would be under the day-to-day management of a Chairman of appropriate rank and stature. If necessary, a Vice-Chairman would be appointed to assist the panel Chairman in the day-to-day management of one of the two panels. The panel Chairman and Vice-Chairman would be named by the Chairman of the Committee in consultation with the Committee. The Chairman of the Committee would regularly inform the Committee of the progress of the panels.

7. One of the Committee's two Vice-Chairmen would be associated with each panel in an ex officio capacity, as an additional source of diplomatic advice. The Permanent Representative of Argentina would be associated with the expert panel on the sources of revenue, funding and petroleum supplies of UNITA. The Permanent Representative of Malaysia would be associated with the expert panel on the sources of military support to UNITA. Such association would have the incidental advantage of ensuring that any relevant information obtained in the course of the expert panels' work could be brought to the attention of the Committee established pursuant to Security Council resolution 918 (1994) concerning Rwanda, chaired by Ambassador Hasmy (Malaysia), and the Committee established pursuant to Security Council resolution 1132 (1997) concerning Sierra Leone, chaired by Ambassador Petrella (Argentina).

8. The Secretariat would be responsible for handling the administrative and personnel needs of the panel members. An assistant, responsible to the panel Chairman, would be appointed by the Secretariat to provide administrative support to the two panels and the panel members on a day-to-day basis. The panels would, in addition, draw on the substantive expertise of the Secretariat

9. The expert panels would be established by means of a resolution of the Security Council.

10. The expert panels would be supported as an expense of the Organization and through a United Nations trust fund established for this purpose.

Notes

[1] Security Council resolution 1173 (1998) of 12 June 1998, para. 12.

[2] Security Council resolution 864 (1993) of 15 September 1993, para. 19.

[3] Security Council resolution 1173 (1998), para. 11.